

ADD

UNITED STATES DISTRICT COURT

for the

District of Massachusetts

U.S. DISTRICT COURT
DISTRICT OF MASS.

2022 OCT 21 AM 9:16

FILED
IN CLERKS OFFICE

JOSE MARIA DECASTRO, an individual)	Case No. 1:22-cv-11421
)	
Plaintiff,)	PLAINTIFF'S RESPONSE TO
)	DEFENDANT PETER'S EMERGENCY
v.)	MOTION FOR A STATUS
)	CONFERENCE
JOSHUA ABRAMS, an individual, et al.,)	
)	
Defendants.)	
)	
_____)	

PLAINTIFF'S RESPONSE TO DEFENDANT KATE PETER'S EMERGENCY**MOTION FOR A STATUS CONFERENCE**

I would stipulate to any and all MUTUAL restraint orders. I am not opposed to an emergency status conference. I am opposed to an emergency status conference where evidence is submitted with argument that interprets the evidence in the worst possible light, trying to manipulate the Court and delay my motions, AND that does not give me time to respond with my own evidence.

I oppose Defendant's stance that unilateral emergency relief from harassment is appropriate, or that emergency relief was necessary as I've been trying to get the parties to agree to mutual restraint since before the action was filed and will stipulate to it. Additionally, defendant has not shown a danger of harassment reoccurring, and the story in the emails shows the opposite in the way of continuing de-escalation. Defendant's motion for non-mutual restraint should not be granted as they have not proven irreparable harm or likely success on the merits that would allow them a preliminary injunction. Especially not irreparable harm to their defense

in this action. The Defendant's emergency motion also lacks an affidavit indicating the need for emergency relief. An injunction against harassment from the Plaintiff is out of scope in this matter in that it does not preserve the trial court's ability to provide relief under this action, as the Defendants have not counter-sued for harassment, and there are other remedies at their disposal if they really thought that they had a claim. Attaching this relief to my action would provide relief without proper evidentiary trial to the Plaintiff. Defendants must show an actual injury and minimally state that my actions are illegal for this Court to otherwise assume jurisdiction. Adversarial emails demanding legal relief and discussing offers may be annoying, but they are hardly criminal. This motion's relief request does not fall under Rule 16(a) or 16(c). Finally, Defendant's evidence has not been authenticated and is inadmissible due to it lacking a declaration of its production.

DOXING

Defendant claims that I threatened to "dox" "others". Others aren't a party in this action. I never said that I would dox anyone, and no evidence was provided by Defendant other than my complaint that the Defendants are doxing me. I believe who Ms. Peters is an associate of hers, who goes by the pseudonym of Johnny Grohman ("Grohman"). Grohman approached me by text and phone calls saying that he was switching sides and had all of this great intelligence for me. I get these types of claims several times a week and my standard policy is to ask them to provide a notarized affidavit of their claims. Of course, they can't back up their claims in that manner. I would not have an anonymous Masshole harasser's personal information and would be unable to "dox" them. Although I do understand that Grohman made a public YouTube video with Peter where he says that he "catfished" me and that I asked him to provide a fake affidavit. They were his lies. I simply asked him to put them in writing under the penalty of perjury if they were true. I

believe that Grohman did this for clout within Defendant Peter's organization of criminal harassers under the name of Masshole Troll Mafia ("Masshole"). Grohman continues to brag that he "catfished" me, bragging about his illegal behavior. Evidence will be provided at trial.

DEFENDANT'S INTRODUCTION OF EVIDENCE

The Exhibits in Peters motion have not been authenticated and are inadmissible due to their lacking a declaration as to their production by the parties or other expert.

DEFENDANTS ABUSE OF THE COURT

It is the Defendants that have delayed the normal timeline of us getting to our first conference. It is obvious that their delay was only to be able to continue to harass me. The Defendants have continued to target me with harassment since sending letters to the court stating that they basically have not yet looked for attorneys and have no reason but requesting the court to basically grant their *ex parte* requests simply so that this court can decide this on the merits. I am also interested in deciding this on the merits. The delays ARE causing me further harm when they do not come with mutual restraint. I filed a motion asking to stay those extensions of time, asking that they only be long enough to have a hearing on whether the extensions should be granted. My motion has still not been decided on, even after several emails to the clerk (Exhibit 1). In that motion I said that I would have stipulated to a motion for extension of time if it came with an agreement to mutual restraint. I asked for the court to grant my preliminary injunction if they did not stay the extensions of time. That preliminary injunction was going to be for mutual restraint.

Unlike the Defendants, I was waiting for the normal process of this Court to decide on that motion before filing that preliminary injunction. It is only the Defendants that have delayed the court process, and ALSO in an opposite fashion, filed two *ex parte* motions and an emergency

motion. I reached out to confer for my motion that I'm filing today. Defendants have never conferred for their motions or mine. They have never responded to any of my requests for mediation or mutual restraint. I'm glad that the Defendants have recognized the need for mutual restraint, because the attacks on me HAVE continued, and when I complain about it by email to parties, they complain about my complaints about their continuing harassment.

OFFERS TO DEFENDANT PETER

I emailed Defendant Katherine Peter ("Peter") several times in a very polite manner suggesting that we mediate (EXHIBIT 2). It was my obligation to retract and update those offers as she continued to harass me (EXHIBIT 4), and her associates continued to harass me, stalk me, and assault me. I admit that the offers were turning more and more in my favor, as they should be due to Peter's continued illegal behavior. Even though a *pro se* party does not have the same ethical requirement to not talk to the opposing party directly, after I finally received a notice of appearance on October 18, 2022 from Benjamin J. Wish ("Wish") (BBO# 672743), I stopped contact with Peter. I responded to Wish's email on October 11, 2022, as shown in his exhibit, stating that until I received a notice of appearance that I was unable to discuss the case with him, that I was obligated to talk to Peter directly, as Masshole harassers have contacted me in the past pretending to be attorneys for parties (EXHIBIT 10), and that I couldn't let an anonymous harasser interfere with my requirements to send documents to Peter. I also notified Wish that I can not accept service by email for the same reason. I asked him to send me his notice by mail and preferably a conformed copy. Instead of couriering it to me, he decided to wait instead. It is very apparent that he did not think it was important at all that I contact him instead of Peter. Emails from someone asking me to stop contacting a third party have no legal weight, and they shouldn't. I had access to the court's e-file system for two days, when it was apparently granted

to me by accident. I have not had access since and I have not consented to service by email, and will be unable due to the nature of the Defendants' *modus operandi* of internet harassment.

DEFENDANT'S CLAIM THAT ACTION IS TO INTIMIDATE AND HARASS

"I don't care if I win ..." is obviously hyperbole. I don't want to lose and I will win if this action is decided on the merits.

Regarding draining the defendants monetarily, it is a natural consequence of defamation and defamation lawsuits. The Iowa Libel Research Project says, in part, "... the principal object of the lawsuit for most plaintiffs is not to obtain monetary relief for financial harm. Instead, the major motivating factors are restoring reputation, correcting what plaintiffs view as falsity, and vengeance." See *Bezanson, Libel Law and the Realities of Libel Litigation: Setting the Record Straight*, 71 IOWA L. REV. 226, 228 (1985). It is all of these factors that caused me to file and to deny any one of them would be a lie. However, it is not me that has violated the rules of this court. I have meticulously followed them. My following the rules of this court will cost the Defendant money. I never stated that at any time that I would file papers that were frivolous or to harass. However, the Defendants have abused the process of this Court, and the motion for sanctions that I have filed yesterday makes that clear. As I said previously, it is the Defendants that are trying to manipulate the Court and win on something other than the merits, have not even presented a defense, and can not win simply by showing that they continue to harass me.

Wish even told me on the phone on October 18, 2022, in part, and in general that he would love to litigate this case on the merits, but due to the "firehose" of information he's being bombarded with he does not yet know what the facts are. His only defense so far has been to harass me through this Court.

As shown in Defendant's exhibits I've sent many emails demanding that they don't harass me and sent several emails updating my offer. My communications were at most an adversarial negotiation.

Defendant Peter has begged me multiple times by email to bring a suit against her (Exhibit 3).

DEFENDANT'S EXHIBIT C "FaceBook message"

The message in Defendant's Exhibit C is a complete fabrication by Defendants. It is clearly fabricated on its face. I simply ask the Court to look at the photo of Defendant Josh Abrams ("Abrams") next to the message on the message's last page, as the author. I will be moving for sanctions.

UNCLEAN HANDS – HARASSMENT BY DEFENDANTS

Defendants have both made YouTube videos directed at me that are harassing in nature after being served and after filing their extensions of time to file a response to my complaint (Exhibit 4).

Peter has harassed me by email multiple times, and as indicated in my emails in Defendant's exhibits, has refused to honor cease and desist requests about harassment in email (Exhibit 5).

Peter runs a Discord server. A discord server is a messaging server that allows groups of individuals to communicate with text, images, and emojis en masse, to create break out rooms, to voice chat, and to share streamed videos.

On Peter's Discord server, there are currently 214 members (retrieved by me on October 19, 2022). The Discord server has separate chat rooms, called channels, for each of Masshole's victims (Exhibit 6). On this server, the members, Including Abrams, under Peter's facilitation,

direction, and leadership, stalk me online and then send people to confront me. I have suffered email and telephone harassment by Masshole. I have suffered vandalism and the theft of my vehicle by Masshole. Masshole has harassed Airbnb hosts for places that I had rented, has harassed my investors by telephone and email, has harassed my family members by telephone and email, has harassed my associates and their employers.

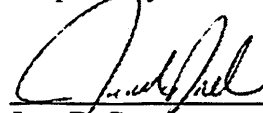
On October 17, 2022, an associate of Peter, named Daniel Clement ("Clement"), while being fed location information by members of Massole, who were tracking me by putting together pieces of information from my live video feed with geographic information on google (Exhibit 7), and while Masshole egged on Clement, he sought me out to confront me (Exhibit 8) with a can of bear spray and a tape measure (Exhibit 9) in order to measure me like a wild animal. Clement then went and falsely filed a restraining order against me in order to try to get my gun taken away from me, which he had earlier stated was his goal on the Discord server. Peter banned Clement from Discord for violating the terms of service of Discord, but otherwise sanctioned his actions. Dr. Horrible Troll Whore is Peter's pseudonym on her Discord server.

I produced the exhibits and they are a true and correct copy of documents from YouTube, Discord, and email.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: October 20, 2022

Respectfully submitted,



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